



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: 200150277

Date: August 9, 2001

Comments Due: September 8, 2001

In reply, please refer to the Public Notice Number

## TO WHOM IT MAY CONCERN:

**SUBJECT:** Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act and water quality certification under Section 401 of the Clean Water Act to finish building the Black Rock Marina, a commercial shrimp boat harbor in the Great Salt Lake, as shown in the attached drawings.

**APPLICANT:** Mark McDougal  
Great Salt Lake Harbors, L.L.C  
3528 West 500 South  
Salt Lake City, UT 84104

**LOCATION:** The project site is located on the south shore of the Great Salt Lake at the border between Salt Lake and Tooele counties. It is situated within Sections 18 and 19, Township 1 South, Range 3 West.

**PURPOSE:** To improve and prepare the proposed site for use as a commercial marina.

**PROJECT DESCRIPTION:** The project would consist of constructing a harbor as depicted in the plan view drawing. It would be built utilizing existing peninsula formations, including the black rock peninsula and another peninsula approximately 1800 feet to the east. A wall facing the Great Salt Lake waters would be constructed using steel "H" piles with wooden planking in between, as shown in attached drawings.

**AREA DESCRIPTION:** The area of the project is characterized by the gradual slope of the shoreline into the Great Salt Lake. Within a few hundred feet of the shoreline are the transportation corridors of Interstate 15 and the Union Pacific Railroad, both linking Utah with California and other points West. This area of shoreline is considered scenic as it is within view of Antelope Island, the Oquirrh and Wasatch Mountain Ranges. The south shore of the Great Salt Lake, in general, is visited by a large variety of migratory and shorebirds. These particular peninsulas are used for nesting of the California Gull.

**ADDITIONAL INFORMATION:** A permit for this activity was previously issued in December of 1996 with the following Special Conditions:

1. Prior to any dredge work on this project, representative sampling and testing shall be conducted on the sediments to be dredged, in order to determine if biologically hazardous materials are present. Results of this testing shall be submitted to the Corps for approval before any dredge work commences. At least 30 days should be allowed for Corps review. This will allow for any additional precautions to be implemented to keep wildlife from coming into contact with possible contaminants contained in dredged material.
2. Documentation from a professional engineer shall be provided, indicating that circulation of water between opposite sides of the dike will ensure negligible differences in water quality and chemistry. It must also be such that water elevations on either side remain even. This is necessary in order to keep from either polluting the potentially isolated water or changing its salinity and altering the ecosystem.
3. A copy of detailed design drawings of the breakwater structure, approved (stamped) by a qualified professional engineer qualified in harbor design, shall be submitted to the Corps for review before installation begins.
4. Dredged material shall not be disposed within the Great Salt Lake. It may be used on the dike in conformance with contours permitted, if testing indicates no presence of contaminants.
5. Wetlands adjacent to the site shall be clearly marked prior to construction beginning, so that inadvertent filling of wetlands does not take place.

The permit expired in December of 1999. If a new permit is to be issued the special conditions may be similar.

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected. Presently unknown cultural resources may be located in the permit area.

This activity would not affect any threatened or endangered species or their critical habitat. The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Certification that the proposed work, if permitted, will not violate applicable water quality standards has been requested from the Utah Division of Water Quality. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity, and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Utah Division of Water Quality, 288 North 1460 West, PO Box 144870, Salt Lake City, Utah 84114-4870, on or before **September 8, 2001**.

Interested parties are invited to submit written comments on or before **September 8, 2001**. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

For activities involving 404 discharges, a permit will be denied if the discharge does not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Mark McDougal, manager of Great Salt Lake Harbors, telephone (801) 956-0662, or Mr. James Thomas of the Utah Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010, or email [jthomas@spk.usace.army.mil](mailto:jthomas@spk.usace.army.mil), or telephone (801) 295-8380, ext. 18.

Written comments should reference Public Notice No. 200150277 and should be mailed to the U.S. Army Corps of Engineers, Utah Regulatory Office, ATTN: James Thomas, 533 West 2600 South, Suite 150, Bountiful, Utah 84010.

Michael J. Conrad, Jr.  
Colonel, Corps of Engineers  
District Engineer

Enclosures: 11 Drawings